

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 23RD DAY OF JUNE 2008, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Annette S. Perkins	-Chair
	Doug Marrs	-Vice Chair
	Mary W. Biggs	-Supervisors
	William H. Brown	
	Gary D. Creed	
	John A. Muffo	
	James D. Politis	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Ruth L. Richey	-Public Information Officer
	Meghan Dorsett	-County Comprehensive Planner
	Amy Doss	-County Planner
	Vickie L. Swinney	-Secretary, Board of Supervisors

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711 (7) Consultation with Legal Counsel and Briefings from Staff

Members or Consultants Pertaining to Actual or Probable Litigation, Where Such Consultation or Briefing in Open Meeting Would Adversely Affect the Negotiating or Litigating Posture of the Public Body; and Consultation with Legal Counsel Employed or Retained by a Public Body Regarding Specific Legal Matters Requiring Provision of Legal Advice by Such Counsel

1. Technology Manufacturing Building
2. Boundary Adjustment – Town of Blacksburg

- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiating Strategy of the Public Body

1. Prices Fork Elementary School Site

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

OUT OF CLOSED MEETING -- 7:25 p.m.

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	

CERTIFICATION OF CLOSED MEETING

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Mary W. Biggs
Doug Marrs
William H. Brown
Gary D. Creed
John A. Muffo
James D. Politis
Annette S. Perkins

NAYS

None

ABSENT DURING VOTE

None

ABSENT DURING MEETING

None

INVOCATION

A Moment of Silence was lead by Chair Perkins.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Rezoning Request – William W. & Mary T. Peterman

A request by William W. & Mary T. Peterman for rezoning of approximately 19.038 acre tract(s) from Rural Residential (R-R) to Agriculture (A-1), with possible proffered conditions, to allow agricultural uses with a maximum density of four (4) dwelling units. The property is located to the southeast of the Mud Pike and Seven Mile Tree Road intersection, and is identified as Tax Parcel No(s). 104-A-75E, (Acct No. 120045), in the Riner Magisterial District (District D). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

Amy Doss, Planner, summarized the above request. William and Mary Peterman submitted a request to rezone 19.038 acres from Rural Residential to Agriculture to allow for the grazing of livestock. Under the current zoning of Rural Residential only 3 animals per acre and no more than 10 animals are allowed on the entire tract. The site is prime farm land and the Peterman's wish for it to be used for agriculture purposes. The number of residential lots will be reduced from a maximum of 12 lots to 2 lots. The request is down zoning the land.

At their June 11, 2008 meeting, the Planning Commission recommended approval of the rezoning.

Mary Peterman, applicant, addressed the Board regarding her rezoning request. She understands it is a little unusual to request a down zoning; however, her family wants to help keep this area rural. The Peterman's will be grazing their cattle on this site. She appreciates the Board's time and consideration of their request.

There being no further speakers, the public hearing was closed.

Special Use Permit – Dale W. Alderman –CONTINUED TO JULY 28, 2008

A request by Dale W. Alderman for a special use permit on 3.807 acres in a Agriculture (A-1) zoning district to allow a contractor's storage yard. The property is located at 2980 Pilot Road, identified as Tax Parcel No(s). 108-A-25A (Acct # 000474) in the Shawsville Magisterial District (District C). The property currently lies in an area designated as Rural in the Comprehensive Plan with an allowable density of 0.75 units per acre.

The Chair announced that the Planning Commission tabled this request at their June 18, 2008 meeting in order to review the request further. Therefore, the Board of Supervisors continues this public hearing until July 28, 2008.

R-FY-08-191
RESOLUTION CONTINUING THE PUBLIC HEARING
FOR DALE W. ALDERMAN SPECIAL USE PERMIT REQUEST

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Public Hearing for a Special Use Permit by Dale W. Alderman is hereby continued to July 28, 2008 due to the Montgomery County Planning Commission tabling this request at their June 11 and June 18, 2008 meeting in order to receive additional information.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
John A. Muffo	None
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
Annette S. Perkins	

PUBLIC ADDRESS

Roger Lewis addressed the Board with concerns regarding the proposed workforce housing on Harding Avenue. Mr. Lewis urged the Board to give careful consideration to this project. He stated that the Board should not be intimidated by the press on their recent news article on the proposed project and should consider how a project like this would impact the local residents. Mr. Lewis also believes a public hearing will need to be held before any decision is made to adjust the boundary line to include this property in the Town of Blacksburg.

Joe Jones addressed the Board with concerns about gypsy moth in the Laurel Ridge Subdivision in Blacksburg. Mr. Jones stated they have a terrible problem with gypsy moths. An estimated 75% of residents have infestation on their lots and all lots are fully wooded. Mr. Jones understands that Laurel Ridge Subdivision did not have enough egg masses in the spring to be considered in the spraying for gypsy moth this year. They are reporting the number of egg masses to Charlie Putnam, the County's Gypsy Moth Coordinator, who has been very helpful to the residents. Mr. Jones reported that the residents of Laurel Ridge Subdivision are considering private spraying if they are not eligible again next spring.

Lynne Wright expressed concerns with the proposed workforce housing project on Harding Avenue. Ms. Wright lives directly across from the site and is concerned about an increase in the school population at Harding Ave. Elementary and increased traffic on Harding Ave. She stated that the schools will already see an influx of new students from the 300 new homes recently

constructed in the area. Also, Harding Avenue is a narrow, curvy, road and she believes putting another entrance leading onto this road would not be feasible.

Terry Smutz, Executive Director for New River Community Action (NRCA) spoke in favor of the proposed workforce housing. She stated there is a tremendous need for affordable housing. She reported that NRCA received 136 requests from families for some sort of housing assistance from January – June 2008. They serviced 68 families in the homeless intervention program and she stressed these were working families. There are 188 families on a waiting list for Section 8 housing. Ms. Smutz stated the availability of safe lower income housing is limited. She stated she lives near the proposed workforce housing site and supports it.

Hara Miser expressed concerns with the proposed workforce housing project on Harding Avenue. Mr. Miser supports affordable housing but questioned the location of the proposed project. He stated he has attended several Town of Blacksburg's Council meetings and Board of Supervisors meetings to learn more about the project. He believes the Harding Avenue area is already highly dense, not a logical choice, would create more noise, increase school population, and increase traffic. Mr. Miser asked why the Town of Blacksburg can't improve the trailer parks. He also stated that once the land is within the Town limits, the County will lose control of what is developed on the site.

Paul Ruszler expressed concerns with the proposed workforce housing project on Harding Avenue. Mr. Ruszler questioned the road study that was conducted and if Harding Avenue can handle any additional traffic. The topography of this road is dangerous. He believes if the Poff property becomes part of the Town then it will be a disservice to the residents who live in the County, who enjoy the rural nature. Mr. Ruszler understands the Board of Supervisors only has to consider the boundary adjustment but he asked the Board to consider the entire project.

Meghan Dorsett spoke in support of the proposed workforce housing project. Ms. Dorsett stated, as a former member of the Home Consortium, there is a need for affordable housing in Montgomery County. She stated the Commonwealth of Virginia required localities to take a look at higher density growth in urban areas. She believes the proposed project will be an appropriate use of the Poff property. Ms. Dorsett also thanked the Board for all their support during the past nine years she was employed as a Comprehensive Planner for Montgomery County.

Douglas White expressed concerns with the proposed workforce housing project on Harding Avenue. He asked that due process be allowed to work. He believes the County and Town should provide for more public participation and the project should be considered thoroughly. He asked that all documents, traffic reports, water studies, and environmental studies be made available to the public. He asked if the Town considered the Old Blacksburg Middle School Site for this project. He expressed concern that the Town of Blacksburg is continuing to impair the watershed and increased public awareness is needed.

Abigail Convery spoke in support of the proposed workforce housing project. Ms. Convery worked on this plan as a regional planner with the New River Valley Planning District Commission. They proposed using the Earth Craft Community Certification, which requires that

both the housing and the site development be done using environmental criteria. There are a lot of issues to be considered when planning. The land is designated in the County's Urban Expansion and is in close proximity to the Town's infrastructure. Ms. Convery hopes the Board can support this project.

Jean Roper, Retired Urban Affairs and Planning Faculty Member at Virginia Tech, spoke in support of the workforce housing project. Ms. Roper, after looking at the proposal, does not believe there are any downsides to the development, as all impacts to the neighbor are manageable. Ms. Roper stated that in working with low-moderate income families through her church, she sees their struggle daily. She urged the Board of Supervisors to offer leadership and willingness to look at the long-range vision of development. The Poff property is for sale and there will be some type of development on this site. Ms. Roper stated this is an opportunity to provide affordable housing in Montgomery County by using federal money, and also will provide construction/building jobs in the community.

Margaret Hassleman spoke in support of the workforce housing development. She agrees with Ms. Roper's comments. There is a crying need for affordable housing in Montgomery County. This project is an opportunity to provide a model for best possible "green" housing for others across the nation. This is a great opportunity for workforce housing and she urged the Board to support the project.

Kathy Kokalis spoke in support of the workforce housing development project. Ms. Kokalis commented that she is a school secretary and there is another school secretary and school aid who are on a waiting list. They are working families that are in need of affordable housing. She urged the Board to work with the community and make all documents available so the people will know what is before the Board for consideration. Ms. Kokalis also asked the Board to work together to find a way to make this project happen.

Bijaya Misra spoke in opposition to the Harding Avenue work force housing project. Ms. Misra commented that the proposal for workforce housing is a good one; however, the site for the development is questionable. She expressed concerns with the land being full of sinkholes, and a dangerous road, in an area already over populated. Ms. Misra also questioned the Town of Blacksburg's proposal to rezone the property to R-5 and not R-4. She believes more information need to be provided before an informative decision can be made.

Karen Fleet commented that there is a need for more affordable housing in Montgomery County; however, does the Town of Blacksburg need County land for this particular project. She asked the Board to protect the County residents in the Harding Avenue area. If this project proceeds and the boundary line is adjusted what is to keep this from happening again in the future. How much more land will be needed for urban expansion? Ms. Fleet urged the Board to protect the rural areas of the County.

There being no further speakers, the public address session is closed.

ADD TO THE AGENDA - ADDENDUM

On a motion by William H. Brown, seconded by John A. Muffo, and carried unanimously, the following Addendum dated June 23, 2008 was added to the agenda:

1. Add to the Consent Agenda -
School Cafeteria Fund – Supplemental Appropriation
2. Add to New Business
Resolution Declaring a Local Emergency – Poor Mountain Fire

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
William H. Brown	
Doug Marrs	
Mary W. Biggs	
James D. Politis	
John A. Muffo	
Annette S. Perkins	

CONSENT AGENDA

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Consent Agenda dated June 23, 2008 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Doug Marrs	None
William H. Brown	
Gary D. Creed	
John A. Muffo	
James D. Politis	
Mary W. Biggs	
Annette S. Perkins	

Approval of Minutes

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously, the Minutes dated April 10, 2008 were approved.

A-FY-08-114
CLERK OF CIRCUIT COURT CLERK
TECHNOLOGY TRUST FUND

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

250 Clerk of Circuit Court	\$6,410
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>	
02250-423100 Shared Expenses	\$6,410

Said resolution appropriates Technology Trust fund monies to cover the cost of software maintenance for the Clerk's office and to purchase a new server.

A-FY-08-115
SCHOOL OPERATING FUNDS
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

09 School Operating Fund	
561000 Instruction	\$341,995

The sources of funds for the foregoing appropriation are as follows:

<u>Revenue Account:</u>	
433226 Title IIA Improving Teacher Quality	\$289,770
433206 Gaps – Teach America History	38,058
418301 Homeless Education Grant	<u>14,167</u>
Total	\$341,995

Said resolution appropriates additional funds from the various sources for FY 08.

A-FY-08-116
FIRE PROGRAM FUND

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008 for the function and in the amount as follows:

23311	Fire Program Fund Distribution	\$71,457
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
424401	Fire Program Fund Distribution	\$71,457

Said resolution appropriates funds received from the Fire Program Fund for use by volunteer fire departments.

A-FY-08-117
DOG AND CAT
STERILIZATION PROGRAM

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

400	Dog and Cat Sterilization	\$2,180
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
413101	Dog and Cat Sterilization	\$2,180

Said resolution appropriates monies received as part of the Dog and Cat Sterilization Program.

A-FY-08-118
SHERIFF
RECOVERED COSTS

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

320	Sheriff – County	\$12,130
321	Sheriff – Grants	<u>\$ 717</u>
	Total	\$12,847

The sources of the funds for the foregoing appropriation are as follows:

<u>Revenue Account</u>		
419108	Recovered Costs	\$12,130
419104	Asset Forfeiture	<u>717</u>
	Total	\$12,847

Said resolution appropriates recovered costs from security and asset forfeiture funds for use by the Sheriff's department.

A-FY-08-119
HEALTH DEPARTMENT
TRANSFER FROM SPECIAL CONTINGENCIES

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that a transfer of appropriation is hereby authorized, as follows:

FROM:

960	Special Contingencies	(\$58,400)
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TO:

530	Public Health Department	\$58,400
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Said resolution transfers appropriated funds from Special Contingencies to the Health Department.

A-FY-08-120
SCHOOL CAFETERIA FUND
SUPPLEMENTAL APPROPRIATION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Cafeteria Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2008, for the function and in the amount as follows:

11	School Cafeteria	\$200,000
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The source of funds for the foregoing appropriation is as follows:

Revenue Account:

451204	Designated Cafeteria Fund Balance	\$200,000
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Said resolution appropriates additional funds for the School Cafeteria Fund for FY 08.

R-FY-08-190
JOINT BLACKSBURG/MONTGOMERY COUNTY
LOCAL EMERGENCY PLANNING COMMITTEE
APPOINTMENTS

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby recommends that the Virginia Emergency Response Council appoint the following individuals to the Joint Blacksburg/Montgomery County Local Emergency Planning Committee (LEPC):

1. Elected and Local Officials

Don Langrehr
1705 Ginger Lane
Blacksburg, VA 24060
540-553-0595
donforblacksburg@gmail.com

B. Clayton Goodman, III, LEPC Contact
Montgomery County Administrator
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073-3181
goodmanbc@montgomerycountyva.gov

Doug Marrs
Montgomery County Board of Supervisors
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073-3181
marrsdw@ntelos.net

2. Representatives of Law Enforcement, Civil Defense, Firefighting, First Aid, Health, Local Environmental, Hospital, and Transportation Personnel

Gary Akers
Longshop Fire Department
2142 Wake Forest Road
Blacksburg, VA 24060
540-951-3219

Joey Albert
Virginia Tech Police Department
Sterrett Facilities Complex (0523)
Blacksburg, VA 24060
540-231-6411
albertj@vt.edu

Sid Bingley
Blacksburg Rescue Squad
200 Progress Street
Blacksburg, VA 24060
540-605-0035
sbingley@blacksburg.gov

Bobby Carner
Blacksburg Fire Department
2700 Prices Fork Road
Blacksburg, VA 24060

Darrel Clowes
American Red Cross
495 Mt. Pleasant Road
Christiansburg, VA 24073
540-381-2335

Kimberly Crannis
Blacksburg Police Department
200 West Clay Street
Blacksburg, VA 24060
540-961-1152
kcrannis@blacksburg.gov

Stan Crigger
Virginia Dept. of Emergency Mgmt
6580 Valley Center Drive, Suite 333
Radford, VA 24141
540-831-4067
Stan.crigger@vdem.virginia.gov

Gene Dalton
Shawsville Rescue Squad
6620 Roanoke Road
Shawsville, VA 24162

Steve Davis
New River Health Dept (Bio-terrorism)
210 S. Pepper Street
Christiansburg, VA 24073
540-381-7100 x 127

Grady Devilbiss
New River Health District
210 S. Pepper Street, Suite A
Christiansburg, VA 24073
540-381-7100
Grady.devilbiss@vdh.virginia.gov

Chief James Epperly
Christiansburg Fire Department
110 Depot Street
Christiansburg, VA 24073
540-382-4388

David Linkous
Montgomery Regional Hospital
3700 South Main Street
Blacksburg, VA 24060
540-951-1111

Thomas Lovejoy
Blacksburg Rescue Squad
200 Progress Street
Blacksburg, VA 24060
540-961-1189
tlovejoy@blacksburg.gov

Dorinda Miller
NRV Community Disaster Response
420 Springdale Road
Pearisburg, VA 24134
540-449-2675
cdrc@pemt.net

Mike Moles
Riner Fire Department
4171 Riner Road
Riner, VA 24149
540-382-6865

Robert Parker
Virginia Department of Health
210 S. Pepper Street, Suite A
Christiansburg, VA 24073
540-381-7100 x 151
Robert.parker@vdh.virginia.gov

Greg Sharp
Carilion NRV
2900 Lamb Circle
Christiansburg, VA 24073
540-731-2819
gsharp@carilion.com

Steve Shelor
Longshop Fire Department
5214 McCoy Road
Blacksburg, VA 24060
540-951-4538

Charlie Smith
Montgomery Regional Hospital
3700 South Main Street
Blacksburg, VA 24060
540-951-1111

Neal Turner
Montgomery County ESC
755 Roanoke Street, Suite 2E
Christiansburg, VA 24073
540-394-2146
turnerkn@montgomerycountyva.gov

Tammy Turpin
Carilion NRV
2900 Lamb Circle
Christiansburg, VA 24073
540-239-3876
teturpin@carilion.com

Tommy Whitt, Sheriff
Montgomery County
16 S. Franklin Street
Christiansburg, VA 24073
540-382-6906
whittjt@ntelos.net

AS Wilson
Blacksburg Police Department
200 W. Clay Street
Blacksburg, VA 24060
540-961-1152

Marty Hauschildt
Blacksburg Police Department
200 W. Clay Street
Blacksburg, VA 24060
540-961-1150

John O'Shea
Town of Blacksburg
2700 Prosperity Street
Blacksburg, VA 24060
540-392-1054
joshea@blacksburg.gov

Christopher Stanley
Norfolk Southern Railway Police Dept.
110 Franklin Road, SE
Roanoke, VA 24042
christopher.stanley@nscorp.com

3. Representatives of Broadcast and Print Media

Steve Mills
WVTF Grand Pavilion
4235 Electric Road, SW
Roanoke, VA 24014
540-961-6776

4. Representatives of Community Groups

Malvin L. Wells	Ray Chisholm
Montgomery County Planning Commission	Local Professional Engineers
5351 Lafayette Road	2106 Birch Leaf Lane
Lafayette, VA 24108	Blacksburg, VA 24060
540-268-2937	540-961-3800

5. Owners and Operators of Facilities Subject to the Emergency Planning Requirements of SARA

Zack Adams
Virginia Tech
459 Tech Center Drive
Blacksburg, VA 24061
540-231-5985
adamsz@vt.edu

David Gruber
Biological Monitoring, Inc/USCG Aux
1800 Kraft Drive, Suite 101
Blacksburg, VA 24060
540-953-2821
bmi@biomon.com

Karen Gunter
Radford Army Ammunition Plant
Karen.gunter@us.army.mil

Todd Holt
MOOG, Inc.
1213 North Main Street
Blacksburg, VA 24060
540-552-3011 x 273

Jim Lyons
MOOG, Inc.
1213 North Main Street
Blacksburg, VA 24060
540-552-3011 x 175

Scott Meadows
Wolverine Gasket
201 Industrial Park Rd., SE
Blacksburg, VA 24060
540-552-7674

Jeff Pack
Federal-Mogul Corp.
300 Industrial Park Rd
Blacksburg, VA 24060
540-557-3344
Jeff.pack@federalmogul.com

Tim Saunders
MOOG, Inc.
1213 North Main Street
Blacksburg, VA 24060
540-552-3011 x 4275
tsanders@moog.com

Michael Vaught
Blacksburg-VPI Sanitation Authority
P.O. Box 52
Blacksburg, VA 24060
540-552-6940
vaughtbvpisa@aol.com

6. Citizens Representatives

Jim Morris
304 Ninth Street
Radford, VA 24141
540-639-6215

Joseph V. Gorman, Jr.
402 Hearthstone Drive
Blacksburg, VA 24060
540-552-2150

NEW BUSINESS

R-FY-08-192 RESOLUTION REQUESTING THE COMMISSION ON LOCAL GOVERNMENT TO REVIEW AND ISSUE FINDINGS ON THE PROPOSED JOINT ECONOMIC DEVELOPMENT AND GROWTH SHARING AGREEMENT BETWEEN THE COUNTY OF MONTGOMERY, VIRGINIA AND THE TOWN OF CHRISTIANSBURG, VIRGINIA

On a motion by James D. Politis, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Pursuant to the authority contained in Section 15.2-1301 of the 1950 Code of Virginia, as amended, the County of Montgomery, Virginia and the Town of Christiansburg, Virginia, negotiated a Joint Economic Development and Growth Sharing Agreement (“Growth Sharing Agreement”) whereby the Town of Christiansburg agrees to share certain tax revenues with the County in the area referred to as Woody/Wheatland/Hairston and Arbor View Lands shown more particularly on the plat entitled “Plat of Survey of Revised Corporation Line for the Town of Christiansburg Located in Shawsville Magisterial District Montgomery County, Virginia (Sheet 2 of 2)” dated February 22, 2007; and

WHEREAS, The County of Montgomery, Virginia and the Town of Christiansburg, Virginia cannot hold the required public hearing and approve the Growth Sharing Agreement until the Commission on Local Government has reviewed and issued its findings on the proposed Growth Sharing Agreement; and

WHEREAS, The Board of Supervisors of the County of Montgomery intends to adopt the Agreement subsequent to the Commission's review; and

WHEREAS, The Board of Supervisors authorizes the County Attorney, with assistance from the County Administrator and his staff, to serve as the County's principal contact with the Commission during the period of time the Commission reviews the proposed Growth Sharing Agreement; and

WHEREAS, The County of Montgomery shall provide concurrently with the submission to the Commission on Local Government notice of the referral to each Virginia Local Government contiguous to the County of Montgomery, Virginia.

NOW THEREFORE, BE IT RESOLVED, By the Board of Supervisors of the County of Montgomery, Virginia that the Board of Supervisors hereby requests the Commission on Local Government to review the proposed Growth Sharing Agreement that the County of Montgomery and the Town of Christiansburg intend to adopt subsequent to the Commission's review and issue findings as provided in Subdivision 4 of Section 15.2-2903 of the 1950 Code of Virginia, as amended.

BE IT FURTHER RESOLVED, By the Board of Supervisors of the County of Montgomery that the Board of Supervisors hereby authorizes the County Attorney, with assistance from the County Administrator and his staff, to submit the necessary information to the Commission on Local Government for its review of the proposed Growth Sharing Agreement and for the County Attorney to serve as the principal County contact with the Commission during the review period and to send notice of the referral to each Virginia Local Government contiguous to the County of Montgomery, Virginia along with a copy of the proposed Growth Sharing Agreement, a descriptive summary of the Agreement and an annotated listing of all documents, exhibits and other materials submitted to the Commission.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
William H. Brown	None
Gary D. Creed	
John A. Muffo	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
Annette S. Perkins	

R-FY-08-193
RESOLUTION ENTERING INTO A
PICTOMETRY GRANT AGREEMENT
WITH ROANOKE COUNTY

On a motion by William H. Brown, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, Montgomery County joined Roanoke County, City of Roanoke, City of Salem, Town of Vinton, Town of Blacksburg, and the Town of Christiansburg in applying for a regional Wireless E-911 Services Board grant for specialized aerial photography (Pictometry); and

WHEREAS, On March 27, 2008 the regional grant in the amount of \$300,000 was approved by the Wireless E-911 Services Board; and

WHEREAS, The aerial photography project provides visually enhanced 360° aerial views of natural geography and structures for primary use by Public Safety Answering Points, first responders, and other users; and

WHEREAS, Montgomery County through a grant subdivision agreement would receive \$40,934 in grant funds for the project in FY 09 with a cost of \$26,551 to Montgomery County in FY 2010.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia, that the County Administrator is authorized to sign the grant subdivision agreement with Roanoke County and implement the Pictometry project.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Gary D. Creed	None
John A. Muffo	
James D. Politis	
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Annette S. Perkins	

R-FY-08-194
RESOLUTION OF APPRECIATION
MONTGOMERY-FLOYD REGIONAL LIBRARY
ANN H. CARTER

On a motion by Gary D. Creed, seconded by Mary W. Biggs and carried unanimously,

WHEREAS, *Ann H. Carter* has served the citizens of Montgomery County as a member of the Montgomery-Floyd Regional Library Board since July 1, 2000; and

WHEREAS, *Ann H. Carter* served as Chair of the Montgomery-Floyd Regional Library Board from July 2003 through June 2007 and as Vice Chair from July 2007 through June 2008; and

WHEREAS, *Ms. Carter* has played a vital role in supporting the quality of life in our community through her work on the Montgomery-Floyd Regional Library Board; and

WHEREAS, The Board of Supervisors recognizes the hard work, dedication, experience and leadership ***Ann H. Carter*** has demonstrated in her eight years of service on the Montgomery-Floyd Regional Library Board.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, expresses its appreciation and gratitude to ***Ann H. Carter*** for her outstanding dedication to the community and the citizens of Montgomery County.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to ***Ann H. Carter*** as a testimonial of the high esteem and appreciation in which she is regarded by the members of the Board of Supervisors and that a copy be made apart of the official minutes of Montgomery County.

The vote on the foregoing resolution was as follows:

AYE

John A. Muffo
James D. Politis
Mary W. Biggs
Doug Marrs
William H. Brown
Gary D. Creed
Annette S. Perkins

NAY

None

R-FY-08-195
RESOLUTION DECLARING A LOCAL
EMERGENCY –POOR MOUNTAIN FIRE

On a motion by Gary D. Creed, seconded by William H. Brown and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County, Virginia does hereby find:

1. That due to a fire that was caused by a lightning storm that passed through the County on June 11, 2008 posed a threat to communications towers serving state and county public safety agencies as well as disruption to television, radio and other communications served by the towers located on Poor Mountain.
2. That due to the fire, a condition of peril to life and property necessitated the proclamation of the existence of an emergency.

NOW, THEREFORE, BE IT RESOLVED, That an emergency existed throughout the County of Montgomery, Virginia June 11 through June 17, 2008; and

IT IS FURTHER PROCLAIMED AND ORDERED, That during the existence of said emergency the powers, functions, and duties of the Director of Emergency Services and the Emergency Services Coordinator, shall be those prescribed by state law and the ordinance, resolutions, and approved plans of the County of Montgomery in order to mitigate the effects of the said emergency.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
James D. Politis	
John A. Muffo	
Gary D. Creed	
William H. Brown	
Doug Marrs	
Annette S. Perkins	

Supervisor Creed requested that the County Administrator provide the history behind this resolution. The County Administrator explained that on June 12, 2008, Chief Wells contacted the County's Emergency Services Coordinator, Neal Turner, requesting his help to secure a helicopter to provide flyover fire control. The terrain was such that it was difficult for fire fighters and vehicles to reach the area of the fire immediately. In order to request federal and state funding to help cover the cost of the helicopter expenses, Montgomery County had to declare a "State of Emergency".

Supervisor Creed expressed concern with communications between the County and the State in the event of an emergency. He believes a better working relationship between the two needs to be established, especially in an emergency situation where a helicopter is needed immediately.

RECESS

The Board took a 15 minute recess and reconvened at 9:00 p.m.

INTO WORK SESSION

On a motion by Mary W. Biggs, seconded by James D. Politis and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. VDOT'S Proposed Secondary Street Acceptance Requirements (SSAR)

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
James D. Politis	None
Mary W. Biggs	
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
Annette S. Perkins	

VDOT's Proposed Secondary Street Acceptance Requirements (SSAR)

The 2007 General Assembly directed the Commonwealth Transportation Board (CTB) to establish new requirements for secondary streets to be taken into the state system. Senate Bill 1181 required that the new regulations address connectivity of roads and pedestrian networks and minimize the amount of impervious surface area and stormwater runoff. The proposed new Secondary Street Acceptance Requirements (SSAR) are designed to establish the conditions and standards to be met before secondary streets constructed by developers and localities will be accepted into the state system for maintenance by VDOT.

The Planning Department and County Engineer were asked to review the SSAR to determine what impacts this new legislation may have on the County, particularly the following categories:

1. Requirements to ensure connectivity of road and pedestrian networks with the existing and future transportation network.

The Planning Director stated that many of these connectivity requirements are already in the County's comprehensive plan and currently being suggested by staff at the time of rezoning, subdivision or site plan approval; however, these proposed regulations will now require many of these items to be included in the development's street design.

2. Provisions to minimize storm water runoff and impervious surface area.

The County Engineer reported the proposed regulations defining a watercourse are too restrictive. It potentially requires an easement to be acquired to an intermittent stream, creek, river, etc. This could require over a mile of easements in many places in Montgomery County and would stifle development, unless the County took it upon itself to accept liability for all this water.

A better definition is to define a watercourse as an existing path which water seeks during a pre-development two year storm event where Manning's open channel flow criteria are met. This would include many of the steep valleys and ravines found in mountainous counties of southwest Virginia.

VDOT's proposed requirements attempt to sidestep the storm water issues by shifting responsibility to the localities. The County does not have the staff, equipment, or source of revenue to deal with this added responsibility. Hopefully, a better solution can be found than delegating this responsibility to local governments.

3. Quality assurance provisions for new secondary streets and associated cost recovery fees if the new streets do not perform to acceptable standards.

VDOT proposes four different inspection programs as follows:

- Normal VDOT Inspection Process – will result in full inspection fee and surety requirements.
- Third Party Inspection Process – will result in reduced inspection fees and reduced surety requirements.
- Local Certification Process – will result in reduced inspection fees and surety requirements are waived.
- Detailed VDOT Inspection Process – will result in the waiver of inspection fees and surety requirements.

The Planning Director reported these inspections and surety requirements will cost the developers more money to bring streets into the state system because they likely will be paying for a Third Party Certification because of limited VDOT staff. Local Certification Process is not viable for the County. Montgomery County does not have an approved comprehensive subdivision construction inspection program. The proposed new fees are costly and will have an impact on future development.

The County Administrator stated that VDOT has proposed a six month transition period for the implementation of the regulations to allow localities and developers to review the proposed regulations. This will also allow Montgomery County to request modifications to the regulations. With the growing number of requirements passed down by the State, development in the County will be difficult. There needs to be some type of balance between the state and localities.

Supervisor Creed spoke his concern with the Third Party Inspection Process. He stated the third party certification for Virginia Department of Health septic system approval process, in Montgomery County's experience, has not translated into timely completion and lower costs to the developer/property owner. He does not see this speeding up the acceptance process for street acceptance into the state system.

Supervisor Marrs asserted that this is another attempt by the State to pass every thing back to the locality. He requested the Board's concerns regarding the proposed regulations be forwarded to VDOT. Chair Perkins also suggested they be forwarded to the County's representatives in the General Assembly

OUT OF WORK SESSION

On a motion by Doug Marrs, seconded by William H. Brown and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends the Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>
Mary W. Biggs	None
Doug Marrs	
William H. Brown	
Gary D. Creed	
John A. Muffo	
James D. Politis	
Annette S. Perkins	

BOARD MEMBERS' REPORT

Supervisor Creed reported his concerns with the Harding Ave – Work Force Housing Project. He believes the studies performed seemed a little fuzzy. Why do some studies include the student population and others do not. He believes this needs to be addressed.

Supervisors Biggs attended the Planning Commission meeting where the Dale Alderman request for a Special Use Permit was tabled in order to review the placement of the building and flood area.

School Board meeting – The School Board extended the School Superintendent's contract for another four years with an 8.6% salary increase. They have scheduled a retreat at the Hotel Roanoke on June 11 – 12, 2008.

Library Board meeting was held in Floyd where they elected Robert Benoit as Chair, Michael Hemphill as Vice Chair, and David Collins as Secretary.

Supervisor Biggs made the following statement to be reflected in the minutes:

“In reference to the Editorial in the Current Section of the Roanoke Times on Sunday, June 22, 2008. I would like to clarify that I have not advocated any local government other than Montgomery County pay for our county schools. I have asked at times if developers could or would contribute to our schools in some manner. I am a resident of Montgomery County and also of the Town of Blacksburg and pay taxes to both.”

Supervisor Politis also commented on the Editorial in the Current Section of the Roanoke Times on Sunday, June 22, 2008. He pointed out that he is not against affordable housing but disagrees with subsidized housing. He believes that federal tax money should not be used to help citizens purchase homes. He had to work three jobs sometimes to be able to buy a house.

Supervisor Muffo attended the Community Services Board meeting and he was elected Chair for CSB for the upcoming year.

Supervisor Perkins received a call from a constituent regarding citizens who don't live in Montgomery County year round and the payment of real estate/personal property taxes. The citizen asked if the Treasurer's Office would consider a policy to let part-time residents set up an automatic bank draft for payment of taxes that are due in December. This would allow for tax payments to be made on time and landowners not having to worry about incurring penalties. The citizen noted that the Town of Blacksburg has this option and why couldn't Montgomery County do the same. Supervisors Perkins requested staff to look into this request.

ADJOURNMENT

On a motion by William H. Brown, seconded by John A. Muffo and carried unanimously, the Board adjourned to Monday, July 14, 2008 at 6:00 p.m.

The vote on the foregoing motion was as follows:

AYE

Doug Marrs
William H. Brown
Gary D. Creed
John A. Muffo
James D. Politis
Mary W. Biggs
Annette S. Perkins

NAY

None

The meeting adjourned at 9:25 p.m.

APPROVED: _____	ATTESTED: _____
Annette S. Perkins	B. Clayton Goodman, III
Chair, Board of Supervisors	County Administrator